



DA C #5

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10/045,436

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kirkpatrick, et al. Docket: 60027.0075US01/BS01302
Serial No.: 10/045,436 Group Art Unit: 2171
Filed: November 7, 2001
Title: REUSABLE ONLINE SURVEY ENGINE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this paper, as described herein, is being deposited via First Class Mail in an envelope addressed to: Commissioner for Patents, Box DAC, Washington, D.C. 20231, on August 7, 2002.

By: Leonard J. Hope
Leonard J. Hope

REQUEST FOR RECONSIDERATION OF PETITION
TO ESTABLISH FILING DATE OF APPLICATION PAPERS

Commissioner for Patents
Box DAC
Washington, D.C. 20231

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AUG 19 2002

OFFICE OF PETITIONS

Dear Sir:

Applicants hereby request reconsideration of the Petition to Establish Filing Date of Application Papers ("the Petition") filed on March 19, 2002. The Petition was dismissed in a Decision on Petition ("the Decision") mailed on July 17, 2002.

As grounds for reconsideration, the Applicants and the undersigned submit that the postcard receipt attached hereto as Exhibit A comprises *prima facie* evidence that page 19 of the application papers was submitted to and received by the United States Patent and Trademark Office on November 7, 2001. The postcard receipt clearly acknowledges receipt in the United

States Patent and Trademark Office of 14 pages of specification, 20 claims, one page of abstract, and 8 sheets of formal drawings.

Page 19 of the specification, which Applicants and the undersigned contend was filed with the application papers on November 7, 2001, includes claims numbered 19 and 20. Therefore, the postcard receipt unequivocally shows that a page 19 was received in the United States Patent and Trademark Office on November 7, 2001. Pursuant to MPEP § 503, this is *prima facie* evidence that a page 19 was filed with the original application papers on November 7, 2001. (“A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped by the USPTO,” MPEP § 503).

Therefore, in light of the above, the Applicants and the undersigned respectfully request reconsideration of Applicants’ Petition to Establish Filing Date of Application Papers and that the page 19 filed with the Petition be accorded a filing date of November 7, 2001. The Office of Petitions is invited to contact the undersigned if any questions remain regarding this Request for Reconsideration at (404) 954-5056.

Respectfully submitted,

MERCHANT & GOULD



Leonard J. Hope
Reg. No. 44,774

Date: August 7, 2002

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Exhibit A

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

Applicant: Mark A. Kirkpatrick, Wendy Jennings, and Dongbiao Zeng

Title: Reusable Online Survey Engine

Docket: 60027.0075US01/BS01302

Express Mail No.: EL 900437657 US

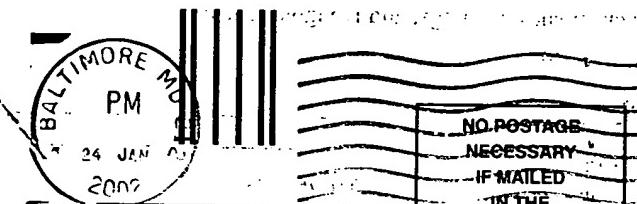
Date of Deposit: November 7, 2001

- Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- Utility Patent Application: Spec. 14 pgs; 20 claims; Abstract 1 pgs.
- 8 sheets of formal drawings
- Nonpublication Request under 37 CFR 1.213(a)
- A signed Combined Declaration and Power of Attorney
- Assignment of the invention to BellSouth Intellectual Property Corporation, Recordation Form Cover Sheet
- A check in the amount of \$740.00 to cover the Filing Fee
- A check for \$40.00 to cover the Assignment Recording Fee.
- Return postcard

Patent



LJH



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